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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,382	09/09/2004	Jian Luo	MGC020325	6441
<div>Jian Luo 240 Klamath Street Brisbane, CA 94005</div>				
			<div>EXAMINER DICKINSON, PAUL W</div>	
			<div>ART UNIT 1618</div>	<div>PAPER NUMBER</div>
			<div>MAIL DATE 08/12/2008</div>	<div>DELIVERY MODE PAPER</div>

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**NOTICE OF IMPROPER REQUEST FOR
CONTINUED EXAMINATION (RCE)**

Application No.
10/507,382

Applicant(s)
LUO ET AL.

Art Unit
1600

Date Mailed:

The request for continued examination (RCE) under 37 CFR 1.114 filed on 21 July, 2008 is improper for reason(s) indicated below:

1. ☐ Continued examination under 37 CFR 1.114 does not apply to an application for a design patent. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA under 37 CFR 1.53(d). An RCE cannot be treated as a CPA.
2. ☐ Continued examination under 37 CFR 1.114 does not apply to an application that was filed before June 8, 1995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b).
3. ☐ Continued examination under 37 CFR 1.114 does not apply to an application unless prosecution in the application is closed. If the RCE was accompanied by a reply to a non-final Office action, the reply will be entered and considered under 37 CFR 1.111. If the RCE was not accompanied by a reply, the time period set forth in the last Office action continues to run from the mailing date of that action.
4. ☐ The request was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was granted. If this application has not yet issued as a patent, applicant may wish to consider filing either a petition under 37 CFR 1.313 to withdraw this application from issue, or a continuing application under 37 CFR 1.53(b).
5. ☐ The request was not filed before abandonment of the application. The application was abandoned, or proceedings terminated on _____. Applicant may wish to consider filing a petition under 37 CFR 1.137 to revive this abandoned application.
6. ☒ The request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.
7. ☐ The request was not accompanied by a submission as required by 37 CFR 1.114. Since the application is not under appeal, the time period set forth in the final Office action or notice of allowance continues to run from the mailing date of that action or notice.

Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) cannot be filed in a utility or plant application. A CPA filed in a utility or plant application that has a filing date **on or after June 8, 1995** will be treated as an RCE under 37 CFR 1.114. The request for a CPA in the instant application, however, has been treated as an improper RCE for the reason(s) indicated above.

A copy of this Notice MUST be returned with the reply.

Direct any questions concerning this notice to

/DEBORAH DOTSON/, Technology Center 1600

Telephone Number: (571)272-0520

Create Returned Item Adjustment

Confirmation

The following returned item adjustment has been created.

Returned Item Adjustment Information

Voucher #:	052591
Voucher Date:	07/29/2008
ALC:	13100001
CAN/Acct Key:	006082
Date of Deposit:	07/29/2008
Adjustment Type:	Debit
Amount of Returned Item:	\$635.00
Reason for Returned Item:	Other
Returned Item(s) Count:	
Adjustment Comments:	Unable to locate account for CK# 503.
Original Date of Deposit:	
Original Voucher #:	
Created Date/Time:	07/30/2008 08:49:39 AM ET
Created By:	rpott503

☐ Financial Institution Information:

☐ Agency Correspondence Information:

Adjustment date: 08/01/2008 TLE111
07/23/2008 CNGUYEN2 00000073 18587382
02 FC:2252 -230.00 OP

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Last Modified by rpott503 on 07/30/2008 08:49:39 AM ET

Adjustment date: 08/01/2008 TLE111
07/23/2008 CNGUYEN2 00000073 18587382
01 FC:2001 -485.00 OP

10507382

Art Unit: 1600

Your check number 503 in the amount of \$635.00 was return by the bank "Unable to locate account". There is a \$50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). Your RCE submitted is therefore improper because your request was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR 1.114.

A copy of the return check is attached to this letter.

/Deborah E. Dotson/
571 272-0520